

ETHICS COMMISSION  
**CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL  
MAYOR



CHARLES W. TOTTO  
EXECUTIVE DIRECTOR & LEGAL COUNSEL

**AGENDA**  
Honolulu Ethics Commission  
**February 17, 2016 – 11:30 a.m.**  
Standard Financial Plaza  
Conference Room, Suite 211  
715 South King Street  
Honolulu, Hawaii 96813

**THE PUBLIC IS ENCOURAGED TO SUBMIT WRITTEN TESTIMONY AND/OR  
SPEAK ON ANY AGENDA ITEM BELOW.**

**SPEAKER REGISTRATION**

- Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number and agenda subject matter via email at [ethics@honolulu.gov](mailto:ethics@honolulu.gov); or calling 768-7787 or 768-7791.
- On the Day of the Meeting: Persons who have not registered to testify by the time the Commission meeting begins will be given the opportunity to speak on an item following the oral testimonies of the registered speakers.
- Each speaker is limited to three minute presentations on each item.

**WRITTEN TESTIMONY**

- Prior to the Day of the Meeting: Testimony may be emailed to [ethics@honolulu.gov](mailto:ethics@honolulu.gov) or faxed to 768-7768.
- On the Day of the Meeting: 10 copies are requested if written testimony is submitted on-site.

**ORDER OF BUSINESS**

- I. CALL TO ORDER
- II. NEW BUSINESS

- A. For Action: Motion to Approve the Open Session Minutes of the January 20, 2016 Meeting.
- B. Executive Director and Legal Counsel's Administrative Report. (Written)
  - 1. Staff's Priorities for FY16 – FY17.
  - 2. Work Reports from Staff Members. **(2-17-16 Agenda Item II.B.2.b, OPEN-1 and 2-17-16 Agenda Item II.B.2.c, OPEN-2 (CONFIDENTIAL))**
  - 3. General Statistics: Pending Complaints Requiring Investigation and Requests for Advice as of the End of Last Month.
  - 4. Additional Workload Statistics. **(2-17-16 Agenda Item II.B.4, OPEN-3)**
  - 5. Current Fiscal Year Budget Issues.
  - 6. Fiscal Year 2017 Budget.
  - 7. Ethics Training Program.
  - 8. Report on the Ethics Commission's Proposed Charter Amendment Before the Charter Commission, and Other Proposals Affecting the Ethics Laws. **(2-17-16 Agenda Item II.B.7, OPEN-4 and OPEN-5)**
  - 9. Gift Guide Newsletter.
  - 10. Quarterly Newsletter.
- C. For Discussion and Action: Modification of Personnel Evaluation Form for the Executive Director and Legal Counsel. **(2-11-16 Agenda Item II.A, OPEN-1)**

III. EXECUTIVE SESSION (The following agenda items will be reviewed in executive session pursuant to Section 92-5(a)(2), Hawaii Revised Statutes (HRS), to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of the matters affecting privacy will be involved; HRS Section 92-5(a)(4), to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities; or HRS Section 92-5(a)(8) to deliberate or make a decision upon a matter that requires consideration of information that must be kept confidential pursuant to state or federal law or court order.)

- A. For Action: Pursuant to HRS Sec. 92-5(a)(2) and (a)(4), Motion to Approve the Minutes of the Executive Session of the January 20, 2016 Meeting.

- B. For Discussion: Pursuant to HRS Sec. 92-5(a)(2) and (a)(4), Regarding the Hire, Evaluation, Dismissal, or Discipline of an Officer or Employee to Consider the Independent Investigator's Report of Commission Office Conditions, Including Management, Personnel and Procedures.
- C. For Discussion: Pursuant to HRS Sec. 92-5(a)(2) and (a)(4), Regarding Processing Ethics Complaints Against Certain City Agency Personnel.
- D. For Discussion: Pursuant to HRS Sec. 92-5(a)(4), Regarding Issues Raised in the Memorandum Dated January 8, 2016 to Charles Totto, Executive Director and Legal Counsel, Honolulu Ethics Commission, from Deputy Corporation Counsel Duane W.H. Pang, Department of Corporation Counsel. **(2-17-16 Agenda Item III.D, EXEC -1)**
- E. For Discussion: Pursuant to HRS Sec. 92-5(a)(2), Regarding the Hire, Evaluation, Dismissal, or Discipline of an Officer or Employee to Provide the Status as to the Retention of an Independent Ethics Investigator Required Due to a Conflict of Interest.
- F. For Discussion and Action: Pursuant to HRS Sec. 92-6(a)(2), Regarding the Commission's Adjudicatory Functions, Status of Ongoing Cases and/or Prehearing Conferences.

#### IV. ADJOURNMENT